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June 24, 2024

VIA ECF AND E-MAIL

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, New York 10007

Re: Charles Johnson v. Clearview AI, Inc., et. al.
Case No. 1:23-cv-02441

Dear Judge Failla:

We are counsel for Defendants and are, once again, constrained to write concerning Plaintiff's inappropriate and highly offensive social media posts. These posts are not only directed at Defendants, but again take aim at Defendants' counsel, as well as Defendant Hoan Ton-That's father. *See Exhibit A* hereto. To remind the Court, in Your Honor's November 16, 2023, order (Dkt #39), you noted that Plaintiff had "violated, at a minimum, his agreement 'to stop posting on social media about Defendants' counsel'", which this Court had so-ordered on July 13, 2023 (Dkt #23). From the attached public posts, it is evident that Plaintiff has again violated this agreement, so ordered by the Court, and has no intention of refraining from this offensive conduct. As we've noted for this Court previously, Plaintiff's posts are no more than a transparent attempt to intimidate Defendants and their counsel, which should not be countenanced by the Court.

Defendants submit this correspondence to keep the Court apprised of Plaintiff's continuing violations of the agreement so ordered by this Court, should the Court wish to exercise its inherent power to take action to enforce compliance with its lawful order. Defendants otherwise respectfully reserve all rights and remedies relating to Plaintiff's continuous, bad faith conduct.

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

GORDON REES SCULLY MANSUKHANI, LLP

/s/ Ronald A. Giller

Ronald A. Giller, Esq.

RAG:MJB
Enclosures